

COMMITTEE AMENDMENT FORM

DATE: 10/30/01

COMMITTEE CITY UTILITIES

PAGE NUM. (S) 2

ORDINANCE I. D. #01-O 1698

SECTION (S) 3

RESOLUTION I. D. #01-R-

PARA.

AMENDS THE LEGISLATION BY INSERTING THE FOLLOWING
ACCOUNT NUMBERS:

WATER FUND

2J01 524001 Q21001

WASTE WATER FUND

2J01 527002 M51001

AN ORDINANCE BY

01-○-1698

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO AN AGREEMENT WITH THE
METROPOLITAN NORTH GEORGIA WATER
PLANNING DISTRICT AND TO MAKE PAYMENTS
ON A PER CAPITA BASIS TO FUND THE
ACTIVITIES OF THE DISTRICT.**

WHEREAS, eighteen counties have come together under the umbrella of the Metropolitan North Georgia Water Planning District (MNGWPD) to gather data, study and plan for the future of water resources management in the region; and

WHEREAS, the MNGWPD was created to establish policy, create plans and promote intergovernmental coordination for all water issues in the District and to enhance access to funding for water related projects among local governments in the District; and

WHEREAS, the members of the MNGWPD (Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, Dekalb, Douglass, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Paulding, Rockdale, and Walton counties) have agreed on a funding formula to support the work of the MNGWPD; and,

WHEREAS, the 2002 budget for the MNGWPD, which was adopted at its September 6, 2001 meeting, requires a contribution of eighty cents per person within each local jurisdiction, based on the 2000 Census.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Atlanta that

Section 1: The Mayor be and is hereby authorized on behalf of the City to make payments to the MNGWPD in the amount of \$333,179.00 to assist with the funding of the operations of the District for calendar year 2002.

Section 2: that the Mayor is authorized to make the first payment in the amount of \$104,782.00 no later than December 31, 2001; and the balance of \$228,397.00 in six equal monthly installments beginning in January, 2002.

Section 3: That said funds shall be paid from the Water and Sewer Revenue Fund as follows:

WATER FUNDS totaling \$109,949 shall be charged to and paid from
2J01 524001 Q211001

WASTE WATER FUNDS totaling \$223,230 shall be charged to and paid from
2J01 524001 M51001

Section 4: That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

COUNTY OF FULTON,
STATE OF GEORGIA

AGREEMENT FOR PAYMENT OF FEE

This Agreement for Payment of Fee (hereinafter the "Agreement") is made and entered into this _____ day of _____, 2001, by and between the Metropolitan North Georgia Water Planning District (hereinafter the "District"), an entity of the State of Georgia created by the Georgia General Assembly by Senate Bill 130 in the 2001 Regular Session of the Georgia General Assembly (Act No. 27; O.C.G.A. §§ 12-5-570 – 586 [the Act]) and City of Atlanta, Georgia, a local governing body within the State of Georgia (hereinafter the "Local Government").

WHEREAS, the General Assembly of Georgia created the District for the purpose of establishing policy, creating plans, and promoting intergovernmental coordination for all water issues within the boundaries of the District; and

WHEREAS, the Local Government falls within the boundaries of the District and is represented on Metropolitan North Georgia Water Planning District Governing Board (hereinafter the "Board") by virtue of O.C.G.A. § 12-5-575(a); and

WHEREAS, O.C.G.A. § 12-5-577(a) provides that the District's budget, which includes funding sources, shall be adopted annually by the Board; and

WHEREAS, the Local Government is required by the Act to pay dues to assist in funding the operations of the District; and

WHEREAS, O.C.G.A. § 12-5-577(b) provides that the aggregate total of all such dues from cities and counties within the District shall be no less than One Million Dollars per calendar year; and

WHEREAS, the Board at its September 6, 2001, meeting determined that the total dues for calendar year 2002 shall be \$3,179,729, which is Eighty Cents per person based upon the population fixed by the 2000 Decennial Census and allocated among the Local Governments based on the population certified to reside within that jurisdiction in said Census.

Now, therefore, for and in consideration of the mutual promises and covenants herein contained, the District and the Local Government agree as follows:

1. Based upon the formula established by the Board, the Local Government's dues to assist in the funding of the operations of the District for calendar year 2002 is presently set at Three Hundred Thirty Three Thousand One Hundred Seventy Nine and No/100 Dollars (\$333,179.00). The Local Government agrees to pay said amount to the District in two installments. The first payment, in the amount of One Hundred Four Thousand Seven Hundred Eighty Two and No/100 Dollars (\$104,782.00), shall be paid no later

than close of business on December 31, 2001. The balance, in the amount of Two Hundred Twenty Eight Thousand Three Hundred Ninety Seven and No/100 Dollars (\$228,397.00), shall be paid in six equal monthly payments, each payment due on the first business day of each calendar month beginning January 2, 2002..

2. The District shall use such dues in accordance with the budget of the District adopted at the meeting of the Board on September 6, 2001.

In witness whereof the parties, acting through their authorized representatives acting within the scope of their delegate powers, have caused to be set their hands and seals this the day and date first above set out.

METROPOLITAN NORTH GEORGIA
WATER PLANNING DISTRICT

CITY OF ATLANTA,
GEORGIA

JOEL H. COWAN
Chief Executive Officer/Chair

BILL CAMPBELL
Mayor, City of Atlanta

ATTEST:

J. T. WILLIAMS
Secretary/Treasurer

NAME
Title

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon
(for review & distribution to Executive Management)

Commissioner Signature Renee L. del Rosario/mj

From: Originating Dept. Water

Contact (names) Melinda Langston
Water Utility Manager (404) 330-6773

Committee(s) of Purview: CUC

Committee Deadline: _____

Committee Meeting Date(s) _____

City Council Meeting Date: _____

CAPTION: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE METROPOLITAN NORTH GEORGIA WATER PLANNING DISTRICT AND TO MAKE PAYMENTS ON A PER CAPITA BASIS TO FUND THE ACTIVITIES OF THE DISTRICT.

BACKGROUND/PURPOSE/DISCUSSION: PROVIDES AUTHORIZATION FOR THE CITY OF ATLANTA TO ENTER INTO AN AGREEMENT WITH THE METROPOLITAN ATLANTA NORTH GEORGIA WATER PLANNING DISTRICT AND TO MAKE PAYMENTS IN ACCORDANCE WITH THE AGREED UPON FORMULA. ATLANTA'S PORTION OF THE YEAR 2002 CPERATING BUDGET FOR THE "DISTRICT" IS \$333,179.00 BASED ON THE \$.80 PER CAPITA FORMULA.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by Mayor's Office: 10/15/01 Reviewed: _____
(date) (initials) (date)

Submitted to Council: _____
(Date)

Action by Committee: Approved Adversed Held Amended
Substitute Referred Other